

*Rorabaugh* in view of *Teague* as applied to U.S. Patent No. 5,207,622 issued to Wilkinson et al. (hereinafter "*Wilkinson et al.*"). Applicants respectfully traverse.

*Schönenberger* discloses a physical exercise apparatus that allows two people to exercise simultaneously. A bicycle-type device, including a crank, is connected to a movable surface or treadmill and provides the power supply for the movable surface, i.e. rotating the crank of the bicycle-type device rotates the movable surface. *Schönenberger* includes "holding straps or catches for the movable surface when pivoted vertically." (Col. 2, lines 16-18). No mention is made of a gas spring connected between the support structure and the tread base.

*Wilkinson et al.* discloses a treadmill that supplements aerobic exercises, such as leg exercises, with arm movements. (Col. 2, lines 59-66). The treadmill further includes adjustable feet or legs. *Wilkinson et al.*, however, does not mention the use of gas springs between the support structure and the tread base.

Claims 35-37 depend from independent claim 21. Since claims 35-37 include the limitations of claim 21, claims 35-37 are allowable for the same reasons as recited above.


### **CONCLUSION**

In view of the foregoing, applicant respectfully submits that the application is in condition for immediate allowance. Prompt, favorable action is, therefore, courteously request.

In the event that the Examiner finds any remaining impediment to the prompt issuance of the pending claims, which could be remedied through a telephonic conversation, or which is susceptible to being overcome by means of an Examiner's Amendment, the Examiner is respectfully invited to initiate the same with the undersigned attorney.

DATED this 11<sup>th</sup> day of August 1999.

Respectfully submitted,

  
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